

In accompaniment to the Request For Continued Examination and in substantive response to the most recently received (final) Official Action mailed June 7th, 2006 for the above-identified application, applicant hereby amends the above-identified application as follows:

In the claims

Concerning the status of the claims ever presented in the instant application:

Cancel independent claims 1-3 and 7-8 respectively, without prejudice;

Amend dependent claim 6 as recited hereinafter; and

Add new independent claims 9-10 respectively.

In addition, in view of the explicit holdings of law rendered by the U.S. Supreme Court in the *Festo* case [*Festo Corp. v. Shoketsu kinzoku Kabushiki Co. Ltd. et al.*, 62 USPQ2d 1705 (2002)] concerning the applicability of the legal doctrine of equivalents to amended claim language, applicant now presents a formal attestation and affirmation of the legal position and substantive rights: Applicant does not now surrender for any reason, nor has previously surrendered at any time or for any reason during the prosecution of the instant application, any inventive subject matter which is

or could be expected to be a particular equivalent of the invention defined by the language of the amended claims then pending as understood by a person of ordinary skill in this art; and that no presumption of estoppel, either in law or equity, exists or pertains now or at any time previously as a potential bar to the full application of the doctrine of equivalence for any and all possible embodiments which may be found to be encompassed now or in the future by the language of the amended claims proffered now or at any time previously for substantive examination and review by the U.S. Patent Office. Accordingly, applicant hereby affirmatively rebuts and explicitly disputes any presumption that the doctrine of equivalents for the language of the amended claims has been surrendered or is not in full force for any reason now and at any time during the prosecution on the merits of any and all claims defining the invention of the instant application.

Also, in accordance with the currently revised amendment practice (compulsory as of July 30th, 2003), applicant now presents a listing of all the claims, in ascending numerical order, which were ever submitted for review; provides an identification of the presently cancelled or withdrawn claims (if any) which were ever submitted; and offers for review the full text of those currently amended or original claims now pending in the instant application. The listing of all claims ever presented and the full text of the presently pending claims begins on the immediately following page.

Claim 1 (Canceled).

Claim 2 (Canceled).

Claim 3 (Canceled).

Claim 4 (Cancelled).

Claim 5 (Cancelled).

Claim 6 (Currently Amended). The on-demand needle retaining and locking mechanism as recited by claims ~~1 or 2~~ 9 or 10 wherein said configured spool section includes a pair of sized notches.

Claim 7 (Canceled).

Claim 8 (Canceled).

Claim 9 (New). In a needle-catheter assembly including a hollow, elongated needle-safety container of set dimensions and configuration, and presenting at least one discrete wall and an open front end adapted for passage there through by the tip of a piercing needle; a hollow needle housing of fixed dimensions and configuration, having at least one discrete wall and open front and rear ends, and being moveably mounted upon said

needle-safety container; and a piercing needle disposed co-axially within the interior of the needle housing, the improvement of an on-demand needle retaining and locking mechanism comprising:

a needle-safety container which

(i) is radially rotatable by hand on-demand, and

(ii) has a sized solid tab member disposed at and extending radially from said open front end at an aligned position;

a needle housing which

(a) is adapted for slidable axial movement at will over said rotatable needle-safety container, and

(b) has a slidable hollow configured spool section joined to the front end of the needle housing for on-demand engagement with said solid tab member of said needle-safety container, said hollow configured spool section comprising a central cavity, open front and rear ends adapted for passage there through by a piercing needle, a flanged rib, a tab-engagement segment, and at least one notch within said tab engagement segment,

wherein said configured spool section is alignable at will with and can be engaged by and disengaged from said solid tab member of said rotatable needle-safety container on-demand.

Claim 10 (New). In a needle-catheter assembly including a hollow, elongated needle-safety container of set dimensions and configuration, and presenting at least one discrete wall and an open front end adapted for passage there through of the tip of a piercing needle; a hollow needle housing of fixed dimensions and configuration, having at least one discrete wall and open front and rear ends, and being moveably mounted upon said needle-safety container; and a piercing needle disposed co-axially within the interior of the needle housing, the improvement of an on-demand needle retaining and locking mechanism comprising:

a needle-safety container which

(i) is radially rotatable by hand on-demand, and

(ii) has a sized solid tab member disposed at and extending radially from said open front end at an aligned position;

a hollow collar which

(1) is rotably attached to the open front end of the needle safety container,

(2) presents at least one discrete wall of preset dimensions and configuration, and a central void space,

(3) has open front and rear ends adapted for passage there through of the tip of a piercing needle, and

(4) has a solid tab member disposed on and extending radially from said rotatable collar at an aligned position; and

a needle housing which

(a) is adapted for slidable axial movement at will over said rotatable needle-safety container, and

(b) has a slidable configured spool section joined to the front end of the needle housing for on-demand engagement with said solid tab member of said rotatable collar, said configured spool section comprising a central cavity, open front and rear ends adapted for passage there through by a piercing needle, a flanged rib, a tab-engagement segment, and at least one notch disposed within said tab engagement segment,

wherein said configured spool section is alignable at will with and can be engaged by and disengaged from said solid tab member of said rotatable collar on-demand.